

Patents

Serial No.: 10/713,873

Response Dated August 15, 2007

Response to Office Action of May 15, 2007

Remarks

Claims 1-20 are pending.

Claim 1 has been amended to include the aperture in the vessel support elements. Support for this the apertures can be found in paragraphs 71-72 of the specification as filed.

New claims 15-20 have been added to claim that the vessel support elements and the rail support elements can comprise different active agents. Support for the additional subject matter of claims 15-20 can be found in paragraphs 115 to 120 of the specification.

No new matter is added to the claims.

I. Maas does not anticipate claims 1-12

Claim 1 has been amended to further recite the element of an aperture in the support elements. The present claims are for a stent device in which a plurality of support sections having a at least one aperture for containing a support rail along which the support elements are free to move. The examiner has indicated that Maass discloses the present invention at Col. 8, lines 45-51 and in Fig.'s 13A-B. Maass however, discloses a stent having a support member 22 which are fixed along guides 23. Further, the guide 23 in Maass is not curved at the ends as required by the present invention.

The present invention in contrast to Maass also omits the guide member 22 required by Maass and instead relies on apertures 117 through the support elements. See Fig. 15 reproduced below.

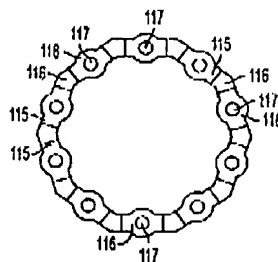


FIG. 15

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Claim 2 is likewise not anticipated by Maass because Maass does not teach a support rail with a plurality of curved end sections. Maass only discloses a linear support member and provides no incentive as to why a rail having curved ends would be desired.

Claim 3 is also not anticipated by Maass. Claim 3 requires a plurality of elongated sections which pass through the support sections. Maass only shows 1 support member 23 and provides no suggestion that additional support members would be useful. Further because of fixed relationship of the support member in Maass, having a plurality of support members would render Maass unfit for the purpose which it was intended, namely a flexible stent.

Claim 4 is not anticipated because Maass does not teach rails having curved ends. The ends of the support member 23 are all linear in Maass.

Claim 5 is not anticipated because Maass does not teach a rail passing through multiple axis of the stent. The support member 23 in Maass is a single element serving as a spine to fix the location of one side of the stent.

Claim 6 is not anticipated because Maass does not teach curved end sections which are secured to a vessel support element. Again, the support member 23 in Maass is linear in all embodiments.

Claim 7 is not anticipated because Maass does not teach a plurality of support rails connected by curved terminal sections.

Claim 8 is not anticipated because Maass does not teach a second end of an elongated support element integral with a curved section. Again, the support member 23 in Maass is linear in all embodiments.

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Claim 9 is not anticipated because Maass does not teach a support rail free of terminal connections end. All embodiments of Mass have a fixed terminus.

Claim 10 is not anticipated because Maass does not teach terminating a rail support between two vessel support elements. The support element of Maass is only terminated at the ends of the device.

Claims 11 and 12 are not anticipated because Maas does not disclose the required elements of claim 1 from which 11 and 12 depend.

II. Claims 13 and 14 are not obvious

Claims 13-14 presently stand rejected as obvious under 35 U.S.C. § 103 over Maass in view of United States Patent Number 5,554,181 to Das.

Applicant respectfully disagrees on the basis that, as shown above, Maass does not disclose the underlying elements of claim 1 from which claim 13 and 14 depend. Das does not provide the missing elements, namely Das fails to teach the use of rail support sections.

Das further fails to teach that the coated vessel support elements can move with respect to the rail element.

* * *

Applicants submit that these amendments and remarks, when entered, place claims 1-20 in condition for allowance and respectfully request that such action be taken by the Examiner at this time.

Should a conference be necessary or desirable to assist the Examiner's evaluation of this application, a telephone call to the undersigned at (954) 315-5044 is respectfully solicited.

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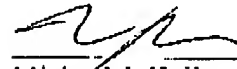
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Respectfully submitted,

Date: August 15, 2007



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